SOUTHERN DISTRICT OF NEW YORK	V
EM LTD. and NML CAPITAL, LTD.,	: 06 Civ. 7792 (TPG)
Plaintiffs,	:
- against -	· :
BANCO CENTRAL DE LA REPÚBLICA ARGENTINA and THE REPUBLIC OF ARGENTINA,	: :
Defendants.	:
	X

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## NOTICE OF MOTION TO DISMISS PLAINTIFFS' THIRD AMENDED COMPLAINT PURSUANT TO RULES 12(b)(1) AND 12(b)(6)

PLEASE TAKE NOTICE that upon the Declaration of Carmine D. Boccuzzi, dated November 27, 2012, the attached exhibits, and the accompanying memorandum of law, defendant the Republic of Argentina will move this Court, at a date and time to be determined by this Court, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) for an order dismissing plaintiffs' claims with prejudice, and for such other relief as this Court deems just and proper.

NOTICE IS FURTHER GIVEN that pursuant to the schedule approved by the Court, Dkt. # 167, any opposition to the motion shall be served on or before January 23, 2013, on counsel for the Republic, Cleary Gottlieb Steen & Hamilton LLP, One Liberty Plaza, New York, New York 10006, Attention: Carmine D. Boccuzzi, Esq., and any reply papers shall be served on or before February 25, 2013, on counsel for plaintiff EM Ltd., Debevoise & Plimpton LLP, 919 Third Avenue, New York, New York, 10022, Attention: David W. Rivkin, Esq., and on counsel

for plaintiff NML Capital, Ltd., Dechert LLP, 1095 Avenue of the Americas, New York, New

York, 10036, Attention: Robert A. Cohen, Esq.

Dated: New York, New York November 27, 2012

## CLEARY GOTTLIEB STEEN & HAMILTON LLP

By: /s/ Carmine D. Boccuzzi

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